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8 UNITED STATES DISTRICT COURT
9 DISTRICT OF NEVADA
10

11 DEONNES WILLIAMS,

12 Plaintiff,

13 vs.

14 LAS VEGAS METROPOLITAN POLICE
DEPARTMENT, a political subdivision of the
State of Nevada and the County of Clark;
15 SHERIFF DOUGLAS GILLSEPIE,
individually and as policy maker of Las Vegas
16 Metropolitan Police Department; DOE
CORRECTIONS OFFICERS I-X, inclusive in
17 their individual capacities and DOES 1-10,

18 Defendants.
19

Case No.: 2:13-cv-01340-GMN-NJK

**STIPULATION AND ORDER TO
EXTEND DISPOSITIVE MOTION
DEADLINE**

(First Request)

20 The above-referenced parties, by and through their counsel of record, hereby agree and
21 stipulate to extend the Dispositive Motion deadline currently set for April 15, 2015, until thirty
22 (30) days after the Court issues a ruling on the pending Motion to Compel [Docket No. 64] (the
23 "Motion to Compel"). This is the first requested extension between the parties. The extension is
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1 being requested as there is a pending discovery dispute between the parties, which is the subject
2 of the Motion to Compel. In addition, the Motion to Compel is not yet fully briefed.

3 The parties recognize that they are requesting the instant extension for filing dispositive
4 motions prior to expiration of the twenty-one (21) day deadline as set forth in LR 26-4. The
5 parties submit that excusable neglect exists to permit granting the instant requested extension. In
6 evaluating excusable neglect, the court considers the following factors: (1) the reason for the
7 delay and whether it was in the reasonable control of the moving party, (2) whether the moving
8 party acted in good faith, (3) the length of the delay and its potential impact on the proceedings,
9 and (4) the danger of prejudice to the nonmoving party. *See Pioneer Inv. Servs. Co. v.*
10 *Brunswick Assocs.*, 507 U.S. 380, 395 S. Ct. 1489, 123 L.Ed.2d 74 (1993). As stated above, on
11 March 18, 2015, the day discovery in this matter closed, Plaintiff filed a Motion to Compel
12 [Docket No. 62] which asks the Court to compel Defendants to disclose the identity of a non-
13 party captured on video surveillance and to produce un-redacted Internal Affairs reports. On
14 March 23, 2015, this Court denied the Motion to Compel without prejudice. [Docket No. 63.]
15 Plaintiff filed a second Motion to Compel on March 25, 2015, the Motion to Compel.
16 Defendants filed their response to the Motion to Compel on April 9, 2015. [Docket No. 65.]
17 Plaintiff is permitted to file an additional reply brief by April 20, 2015. The current deadline to
18 file dispositive motions is April 15, 2015. As such, briefing on the pending Motion to Compel
19 will not even be complete in time for filing dispositive motions. The parties were not aware
20 twenty-one (21) days ago that a discovery dispute would be pending while dispositive motions
21 would be due. The requested extension would allow Plaintiff to file his reply brief and then
22 allow the Court to review the briefing on the Motion to Compel and make a decision. Moreover,
23 the outcome of the Motion to Compel could potentially affect the contents of dispositive
24 motions.

1 The extension will not prejudice any party and will, in fact, allow the pending discovery
 2 dispute to be resolved by the Court and then for the parties to properly brief their dispositive
 3 motions for this Court. The parties are not delaying the conclusion of this matter by way of trial
 4 or otherwise; no trial date has yet been ordered.

5 DATED this 10th day of April, 2015.

6 KAEMPFER CROWELL

POTTER LAW OFFICES

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 8 By: /s/ Lyssa S. Anderson
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11 The dispositive motion deadline is hereby VACATED. Within seven days of the
 12 issuance of the order resolving the pending motion to compel, the parties shall submit
 a stipulation with a new proposed dispositive motion deadline.

13 **ORDER**

14 IT IS SO ORDERED.

15 
 16 United States Magistrate Judge

17 Dated: April 13, 2015